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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,113	02/17/2004	Hans Meessen	RANPP0352USA	6512

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EXAMINER
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DESAI, HEMANT

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/780,113

Applicant(s)

MEESSEN, HANS

Examiner

Hemant M. Desai

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 9/6/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 7-8 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simmons (5749821) in view of Kopp et al. (5356363).

Simmons discloses a dunnage conversion system and method for converting multiple plies of sheet material (106, 108, 110, fig. 7) into a relatively less dense, three-dimensional dunnage product, the system comprising a converter (34, fig. 2) including a conversion assembly (26, fig. 2) that is driven by a motor (36, fig. 2) to advance multiple plies of sheet material through the converter for conversion of the multiple plies of sheet material into a relatively less dense, three-dimensional dunnage product, where the multiple plies of sheet stock material are fed to the conversion assembly along respective in feed paths, a controller (32, fig. 2) that controls operation of the motor and an end-of-web detector (118, fig. 8) located upstream of the conversion assembly for detecting the presence or absence of the ply and providing an output to the controller indicative thereof (see col. 6, lines 29-52).

Simmons, as mentioned above, discloses all the claimed limitations, except for the end-of-web detector including plural sensors respectively associated with the separate in-feed paths for detecting the presence or absence of the respective ply.

However, Kopp et al. teach the end-of-web detector including plural sensors (7, 67, fig. 1) respectively associated with the separate in-feed paths (of three webs 2, fig. 1) for detecting the presence or absence of the respective ply (see col. 2, lines 8-11; col. 3, lines 20-24; col. 4, lines 55-64). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the end-of-web detector including plural sensors respectively associated with the separate in-feed paths as taught by Simmons in the dunnage conversion system and method for converting multiple plies of sheet material into three-dimensional dunnage product of Simmons for detecting the presence or absence of the respective ply and signal generated by the sensor may be used by the controller to stop the feed motor.

Regarding claims 2-4, Simmons discloses that the sensor includes a transmitter for transmitting an electromagnetic beam and a receiver for receiving the electromagnetic beam (see col. 6, lines 35-46).

Regarding claims 7 and 12-13, Simmons discloses separating rollers (100, 102, fig. 7) interposed between the in-feed paths of the sheet stock material plies for separating the plies.

3. Claims 5-6 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simmons and Kopp et al. as applied to claims 1-4 and 8 above, and further in view of Harding (6756096).

Simmons' dunnage conversion system and method for converting multiple plies of sheet material into a relatively less dense, three-dimensional dunnage product modified by Kopp et al. meets all the limitations of claims 5 and 9, except for a splicing

surface against which the trailing ends of the plies of a spent supply of stock material can be Joined to the leading ends of the plies of a new supply of stock material.

However, Harding teaches the splicing surface against which the trailing ends of the plies of a spent supply of stock material can be Joined to the leading ends of the plies of a new supply of stock material (see figs. 6-11) to provide an improved splicing method and supply of sheet stock material which simplifies splicing a succeeding supply of stock material to an almost spent supply of stock material (see col. 2, lines 6-10).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the splicing surface as taught by Harding in the modified system and method for converting multiple plies of sheet material into a relatively less dense, three-dimensional dunnage product of Simmons to provide an improved splicing method and supply of sheet stock material which simplifies splicing a succeeding supply of stock material to an almost spent supply of stock material.

Regarding claims 6 and 10-11, Simmons discloses separating rollers (100, 102, fig. 7) interposed between the in-feed paths of the sheet stock material plies for separating the plies.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant M. Desai whose telephone number is (571) 272-4458. The examiner can normally be reached on 7:00 AM-5: 30 PM, Mon-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on (571) 272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hemant M Desai  
Examiner  
Art Unit 3721

HMD